

AMENDMENTS TO THE DRAWINGS

Attached under separate cover are replacement drawings for Figs. 9 and 10.

REMARKS

In view of the above amendments and following remarks, reconsideration of the objections and rejections contained in the Office Action of December 3, 2007 is respectfully requested.

It is initially noted that a number of minor editorial changes have been made to the specification and drawings. These changes merely relate to formal matters, and correct the reference numeral in Figs. 9 and 10 in accordance with the requirement of the Examiner.

The objection to claim 1 and the formal rejection of claims 6-10 have been remedied by the above amendments. These amendments serve to cancel original claims 1-14 and replace them with new claims 15-28, respectively. The issues raised by the Examiner in both sections 4 and 6 on page 3 of the Office Action have been remedied or completely avoided in the drafting of the new claims.

Of the new claims, independent claim 15 and dependent claims 20-24 correspond to the elected embodiment. Further, claim 15 is generic to both embodiments, and patentably distinguishes over the prior art.

In particular, it is noted that one feature of the present invention is to have a punching unit in which a plurality of punches are grouped into a first group of punches that is composed of a predetermined number of punches and a second group of punches that includes one of the punches of the first group and that is a smaller number of punches than the predetermined number of punches of the first group. Such features generic to both embodiments.

In rejecting claims 1, 6, 9 and 10 as being anticipated by Fukumoto 2001/0011492, the Examiner states that the punches are grouped into a first group that is composed of a predetermined number of punches, referring to punches 52 and 53, and a second group that contain any one of the punches of the first group and have a fewer number of punches than the first group, including punch 53. However, this is not in fact the case in Fukumoto.

Fukumoto is the U.S. patent application publication of JP 2001-198889, which was discussed in the background of the invention of the present application. This document has no common punch. Switching back and forth between two holes and three holes requires a total of five punches, as can be seen from the document.

Claim 15 emphasizes the distinction by reciting that the punches are grouped into the first and second groups, and that they share a punch. Further, the claim recites cams and cam followers that correspond to the first group and to the second group, respectively. The claim also recites that there is at least one cam that is exclusively used with each group, and that there is a cam that corresponds to the punch that is common to the first group and the second group. Fukumoto has no such structure.

The operation of Fukumoto can be readily appreciated from looking at Fig. 1. Movement of the reciprocating member in this embodiment to the left would mean that the two punches on either side of the center punch would be lowered. Movement to the right would mean that the two most outside punches, and the center punch, would be lowered. Thus, either two hole punching or three hole punching could be accomplished. However, there are no punches or cam surfaces used in common. See also Figs. 5 and 6.

Accordingly, it is clear that claim 15 defines over Fukumoto, and indication of such is respectfully requested.

It is noted that the language of claim 15 corresponds to the claim language that has been allowed by the Chinese Patent Office.

In view of the above it is respectfully submitted that claim 15, along with all of its dependent claims are in condition for allowance. Accordingly, the rejoinder and allowance of claims 16-19 and 25-28 is further requested.

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance, and the Examiner is requested to pass the case to issue. If the Examiner should have any comments or suggestions to help speed the prosecution of this application, the Examiner is requested to contact Applicants' undersigned representative.

Respectfully submitted,

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